

MESSAGE NO: 5271310 MESSAGE DATE: 09/28/2015

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: COR-Correction

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-552-802

EFFECTIVE DATE: 06/25/2013 COURT CASE #: 14-00092,13-1033

PERIOD OF REVIEW: 02/01/2008 TO 01/31/2009

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Correction of message 3296303, dated 10/23/2013, concerning the antidumping duty order on frozen warmwater shrimp from the Socialist Republic of Vietnam (A-552-802)

1. This is a correction to message 3296303, dated 10/23/2013, to correct paragraph 4. Message 3296303 set out to correct message 3221311, dated 08/09/2013.
2. Paragraph 4 of message 3296303 contains incomplete information about an aka name for Soc Trang Aquatic Products and General Import Export Company. Below is the fully corrected message.
3. On 6/25/2013, the U.S. Court of Appeals for the Federal Circuit issued a final decision in the case of Grobest & I-Mei Industrial v. United States (13-1033). As a result of this decision, the injunctions to which messages 0264304, 0306301, 0314305, and 0327307 refer enjoining liquidation of entries which are subject to the antidumping duty order on certain frozen warmwater shrimp ("shrimp") from the Socialist Republic of Vietnam ("Vietnam") for the period 2/1/2008 through 1/31/2009 exported by various companies dissolved on 6/25/2013. This is with the exception of entries exported by Grobest & I-Mei Industrial Vietnam, AKA Grobest, AKA Grobest & I-Mei Industrial (Vietnam) Co., Ltd. as described in paragraph 4 below.
4. For all shipments of shrimp from Vietnam exported by the firms listed below and entered, or withdrawn from warehouse, for consumption during the period 2/1/2008 through 1/31/2009, assess an antidumping liability equal to 3.92 percent of the entered value of subject merchandise:

Exporter: Camau Frozen Seafood Processing Import Export Corporation ("CAMIMEX") aka Camimex aka

Camau Seafood Factory No. 4 aka

Camau Seafood Factory No. 5 aka

Camau Frozen Seafood Processing Import & Export aka

Camau Frozen Seafood Processing Import Export Corp. (CAMIMEX-FAC 25) aka

Frozen Factory No. 4

Case number: A-552-802-001

Exporter: Kim Anh Company Limited ("Kim Anh")

Case number: A-552-802-002

Exporter: Minh Hai Joint-Stock Seafoods Processing Company ("Seaprodex Minh Hai") aka
Sea Minh Hai aka

Minh Hai Joint-Stock Seafoods Processing Company aka

Seaprodex Minh Hai aka

Seaprodex Min Hai aka

Seaprodex Minh Hai (Minh Hai Joint Stock Seafoods Processing Co.) aka

Seaprodex Minh Hai Factory aka

Seaprodex Minh Hai Factory No. 69 aka

Seaprodex Minh Hai Workshop 1 aka

Seaprodex Minh Hai-Factory No. 78 aka

Seaprodex Minh HaiFactory No. 78 aka

Workshop I Seaprodex Minh Hai

Case number: A-552-802-003

Exporter: Amanda Foods (Vietnam) Ltd.

Case number: A-552-802-005

Exporter: C.P. Vietnam Livestock Company Limited ("C.P. Vietnam") aka

C.P. Vietnam Livestock Company Limited aka

C.P. Vietnam Livestock Corporation ("C.P. Vietnam")

Case number: A-552-802-006

Exporter: Can Tho Agricultural and Animal Products Import Export Company ("CATACO") aka
Can Tho Agricultural Products aka

CATACO aka

Can Tho Agricultural and Animal Products Imex Company

Case number: A-552-802-008

Exporter: Cafatex Fishery Joint Stock Corporation ("Cafatex Corp.") aka

Cantho Animal Fisheries Product Processing Export Enterprise (Cafatex), aka

Cafatex, aka

Cafatex Vietnam, aka

Xi Nghiep Che Bien Thuy Suc San Xuat Kau Cantho aka

Xi Nghiep Che Bien Thuy Suc San Xuat Khau Cantho aka

Cas, aka

Cas Branch, aka
Cafatex Saigon, aka
Cafatex Fishery Joint Stock Corporation, aka
Cafatex Corporation, aka
Taydo Seafood Enterprise, aka
Cafatex Corp.
Case number: A-552-802-009

Exporter: Cuulong Seaproducts Company ("Cuu Long Seapro") aka
Cuu Long Seaproducts Limited ("Cuulong Seapro") aka
Cuulong Seapro aka
Cuulong Seaproducts Company ("Cuulong Seapro") aka
Cuu Long Seaproducts Company ("Cuu Long Seapro") aka
Cuu Long Seaproducts Company aka
Cuu Long Seapro aka
Cuulong Seaproducts Company ("Cuu Long Seapro") aka
Cuu Long Seaproducts Limited (Cuulong Seapro) aka
Cuulong Seapro aka
Cuulong Seaproduct Company
Case number: A-552-802-010

Exporter: Danang Seaproducts Import Export Corporation ("Seaprodex Danang") aka
Danang Seaproducts Import Export Corporation aka
Danang Seaproduct Import-Export Corporation aka
Danang Seaproducts Import-Export Corporation aka
Danang Seaproducts Import Export aka
Tho Quang Seafood Processing & Export Company aka
Seaprodex Danang aka
Tho Quang Seafood Processing and Export Company aka
Tho Quang, aka
Tho Quang Co.
Case number: A-552-802-011

Exporter: Minh Hai Export Frozen Seafood Processing Joint Stock Company aka
Minh Hai Jostoco aka
Minh Hai Export Frozen Seafood Processing Joint-Stock Company ("Minh Hai Jostoco") aka
Minh Hai Export Frozen Seafood Processing Joint-Stock Company aka
Minh Hai Joint Stock Seafood Processing Joint-Stock Company aka

Minh Hai Export Frozen Seafood Processing Joint-Stock Co., aka
Minh-Hai Export Frozen Seafood Processing Joint-Stock Company
Case number: A-552-802-013

Exporter: Minh Hai Sea Products Import Export Company ("Seaprimex Co") aka
Minh Hai Sea Products Import Export Company ("Seaprimex Co"), aka
Ca Mau Seafood Joint Stock Company ("SEAPRIMEXCO") aka
Seaprimexco Vietnam, aka
Seaprimexco
Ca Mau Seafood Joint Stock Company ("Seaprimexco")
Minh Hai Seaproducts Import Export Corporation
Seaprimexco
Minh Hai Seaproducts Co Ltd. (Seaprimexco)
Case number: A-552-802-014

Exporter: Nha Trang Fisheries Joint Stock Company ("Nha Trang Fisco") aka
Nha Trang Fisheries Joint Stock Company aka
Nhatrang Fisheries Joint Stock Company aka
Nha Trang Fisco aka
Nhatrang Fisco aka
Nha Trang Fisheries Joint Stock Company ("Nha Trang Fisco") aka
Nha Trang Fisheries, Joint Stock
Case number: A-552-802-015

Exporter: Sao Ta Foods Joint Stock Company ("Fimex VN") aka
Sao Ta Foods Joint Stock Company aka
Fimex VN aka
Sao Ta Seafood Factory aka
Saota Seafood Factory
Case number: A-552-802-018

Exporter: Soc Trang Aquatic Products and General Import Export Company ("Stapimex") aka
Soc Trang Seafood Joint Stock Company ("Stapimex") aka
Soc Trang Aquatic Products and General Import Export Company aka
Stapimex aka
Soc Trang Aquatic Products and General Import Export Company-(Stapimex) aka
Stapimex Soc Trans Aquatic Products and General Import Export Company aka
Stapmex aka

Hoang Ha Co. Ltd.

Case number: A-552-802-019 or A-552-802-040

Exporter: Bac Lieu Fisheries Company Limited, aka
Bac Lieu Fisheries Company Limited ("Bac Lieu") aka
Bac Lieu Fisheries Joint Stock Company aka
Bac Lieu Fisheries Limited Company aka
Bac Lieu Fisheries Company Limited

Case number: A-552-802-024 or A -552-802-038

Exporter: Coastal Fishery Development aka
Coastal Fisheries Development Corporation ("Cofidec") aka
Coastal Fisheries Development Corporation (Cofidec) aka
COFIDEC aka
Coastal Fisheries Development Corporation aka
Coastal Fisheries Development Co., aka
Coastal Fisheries Development Corp.

Case number: A-552-802-025

Exporter: Cam Ranh Seafoods Processing Enterprise Company ("Camranh Seafoods") aka
Camranh Seafoods aka

Cam Ranh Seafoods Processing Enterprise Company

Case number: A-552-802-026

Exporter: Phu Cuong Seafood Processing and Import-Export Co., Ltd.

Case number: A-552-802-027

Exporter: Viet Foods Co., Ltd. aka
Nam Hai Foodstuff and Export Company Ltd.

Case number: A-552-802-030

Exporter: Viet Hai Seafood Co., Ltd. aka
Vietnam Fish One Co., Ltd. ("Fish One")

Case number: A-552-802-031

Exporter: Investment Commerce Fisheries Corporation ("Incomfish") aka
Incomfish aka

Investment Commerce Fisheries Corp., aka

Incomfish Corp., aka
Incomfish Corporation aka
Investment Commerce Fisheries aka
Investment Commerce Fisheries Corporation
Case number: A-552-802-033

Exporter: Ngoc Sinh Private Enterprise aka
Ngoc Sinh Seafoods aka
Ngoc Sinh Seafoods Processing and Trading Enterprise aka
Ngoc Sinh Fisheries aka
Ngoc Sinh Private Enterprises aka
Ngoc Sinh Seafoods Processing and Trading Enterprises aka
Ngoc Sinh aka
Ngoc Sinh Seafood Processing Company aka
Ngoc Sinh Seafoods (Private Enterprise)
Case number: A-552-802-034

Exporter: Cadovimex Seafood Import-Export and Processing Joint Stock Company
("CADOVIMEX-VIETNAM") aka
Cai Doi Vam Seafood Import-Export Company ("Cadovimex") aka
Cai Doi Vam Seafood aka
Cai Doi Vam Seafood Im-Ex Company (Cadovimex) aka
Cai Doi Vam Seafood Processing Factory aka
Caidoivam Seafood Company (Cadovimex) aka
Caidoivam Seafood Im-Ex Co.
Case number: A-552-802-039 or A-552-802-007

Exporter: Thuan Phuoc Seafoods and Trading Corporation aka
Frozen Seafoods Factory No. 32 aka
Seafoods and Foodstuff Factory aka
My Son Seafoods Factory
Case number: A-552-802-041 or A-552-802-020

Exporter: UTXI Aquatic Products Processing Company aka
UT XI Aquatic Products Processing Company aka
UT-XI Aquatic Products Processing Company aka
UTXI aka
UTXI Co. Ltd., aka

Khanh Loi Seafood Factory aka
Hoang Phuong Seafood Factory aka
UTXI Aquatic Products Processing Corporation ("UTXICO")
Case number: A-552-802-042 or A-552-802-029

Exporter: Can Tho Import Export Fishery Limited Company ("CAFISH")
Case number: A-552-802-043

Exporter: Gallant Ocean (Vietnam) Co., Ltd. ("Gallant Ocean Vietnam")
Case number: A-552-802-044

Exporter: Phuong Nam Co., Ltd. ("Phuong Nam") aka
Western Seafood Processing and Exporting Factory ("Western Seafood")
Case number: A-552-802-045 or A-552-802-035

Exporter: Vinh Loi Import Export Company ("Vimexco"), aka
Vinh Loi Import Export Company ("VIMEX"), aka
VIMEXCO aka
VIMEX aka
Vinh Loi Import/Export Co., aka
Vinhloi Import Export Company aka
Vinh Loi Import-Export Company
Case number: A-552-802-080 or A-552-802-032

5. Message 3221311, dated 08/09/2013 constitutes notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 4. Accordingly, notice of the lifting of suspension occurred on 08/09/2013, the date of message 3296303. Unless instructed otherwise, for all other shipments of shrimp from Vietnam you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

6. The injunction with court number 14-00092 in message number 4115302, dated 4/25/2014, is applicable to the entries exported by Grobest & I-Mei Industrial (Vietnam) Co., Ltd., during the period 2/1/2008 through 1/31/2009. Accordingly, until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

7. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the

required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties are required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

8. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement. .

9. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement & Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV: PW.)

10. There are no restrictions on the release of this information.

Sherri L. Hoffman

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party